

TOWNSHIP OF FLORENCE

ORDINANCE NO. 2006-02

**AN ORDINANCE OF THE TOWNSHIP OF FLORENCE IN
BURLINGTON COUNTY, STATE OF NEW JERSEY AMENDING
SECTION 1.10 OF THE FLORENCE TOWNSHIP CODE
ESTABLISHING PENALTIES FOR VIOLATION OF ANY PROVISION
OF THE FLORENCE TOWNSHIP CODE OR ANY ORDINANCE OF
THE TOWNSHIP OF FLORENCE**

BE IT ORDAINED by the Township Council of the Township of Florence in Burlington County, State of New Jersey as follows:

Section 1. Findings.

- a. Under the provisions of P.L. 2005, c. 269, the provisions of *N.J.S.A. 40:49-5* and *N.J.S.A. 40:69A-29* have been amended to increase the maximum fine that can be imposed for violations of a municipal ordinances from \$1000 to \$1250. with an effective date of December 26, 2001;
- b. The maximum fine permitted in the Township of Florence has not been changed since 1983 and it is appropriate to amend the provisions of the Florence Township Code to reflect the change in the authorized maximum fine for ordinance violations.

Section 2. Amendment of Section 1-10 of the Florence Township Code.

Section 1-10 of the Florence Township Code is hereby amended to read as follows:

1-10. Altering or tampering with Code; penalties for violation of Ordinances.

a. It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with the Code in any manner whatsoever which will cause the law of the Township of Florence to be misrepresented thereby.

b. Anyone violating this section or any part of the Code or any ordinance of the Township of Florence shall be subject, upon conviction, to one (1) or more of the following: a fine of not more than two thousand dollars (\$2,000.00), imprisonment for a term not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days, in the discretion of the Judge imposing the same.

c. . Each day on which a violation of an ordinance exists shall be considered to be a separate and distinct violation and subject to the imposition of a separate penalty for each day of the violation, as the Court may determine.

d. Whenever a fine is to be imposed in an amount greater than \$1250.00 for violations of housing or zoning codes the owner shall be provided a 30-day period during which the owner shall be afforded the opportunity to cure or abate the condition and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the 30-day period, a fine greater than \$1,250.00 may be imposed if the court has determined that the abatement has not been substantially completed.

Section 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 4. All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency, except that any abatement granted to a residential dwelling under prior ordinance provisions shall remain in effect for exemptions and abatements granted pursuant thereto until those exemptions and abatements shall expire

Section 5. This ordinance shall take effect immediately upon its final passage and publication as provided by law.

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Take Notice that the Ordinance identified above which amends the penalties for violations of any provision of the Florence Township Code or any ordinance of the Township of Florence by increasing the maximum fine to \$2,000.00 for any violation for which no specific penalty is otherwise imposed, in accordance with the authorization provided by P.L. 2005, c. 269 has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington and State of New Jersey. The ordinance further provides that a fine greater than \$1,250.00 shall not be imposed for violations of housing and zoning codes unless the owner has been afforded a 30-day period within which to cure or abate the condition. The adoption on first reading took place at a public meeting held on January 18, 2006. It will be considered for final passage after a public hearing to be held on February 1, 2006, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Joy M. Weiler, RMC, MMC
Township Clerk